

Federal Communications Commission

DA 95-1239

FCC MAIL SECTION

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Before the
Federal Communications Commission
Washington, D.C. 20554

DISPATCHED BY

MM Docket No. 94-69

In the Matter of

Amendment of Section 73.202(b),	RM-8490
Table of Allotments,	RM-8536
FM Broadcast Stations.	
(Grenada and Crenshaw,	
Mississippi) ¹	

REPORT AND ORDER
(Proceeding Terminated)

Adopted: June 5, 1995;

Released: June 13, 1995

By the Chief, Allocations Branch:

1. At the request of Delta Radio, Inc. ("petitioner"), the Commission has before it the *Notice of Proposed Rule Making*, 9 FCC Rcd 3152 (1994), proposing the allotment of Channel 295A to Grenada, Mississippi, as the community's second local FM service. Petitioner filed comments restating its interest in applying for Channel 295A at Grenada. Robert E. Evans, III ("Evans") filed a counterproposal.² Petitioner filed reply comments.

2. In his counterproposal, Evans requests the allotment of Channel 295A to Crenshaw, Mississippi, as the community's first local aural transmission service. Evans states Crenshaw has a population of 978 persons and has a Mayor/Alderman form of government. Evans submits that Crenshaw has its own water system, police staff, a 30-man volunteer fire department, elementary school, churches and approximately 25 businesses. Evans contends that according to the Commission's allotment priorities, a first local service to Crenshaw would be preferred to providing a third local service to Grenada.

3. In reply to Evans' counterproposal, petitioner argues that Evans' proposal "is merely an attempt to keep competition out of the Grenada, Mississippi market". Petitioner concedes that Evans proposal would provide the first local service for a community that currently has no broadcast outlet, but contends that very few communities of 978 inhabitants has broadcast outlets, unless they are contiguous to others cities of larger populations. Petitioner submits that Crenshaw is located "in the middle of nowhere", and is not the county of the county or located on a major highway. Petitioner believes the mere fact that Crenshaw is incorporated simply does not justify the allotment of an FM channel to the community. However, petitioner states that if the Commission should determine that Crenshaw

deserves a radio station, it suggests the allotment of Channel 222A to Grenada so both communities can be accommodated.

4. After consideration of the information filed in this proceeding, we believe that Crenshaw is a community for allotment purposes. Crenshaw is listed in the 1990 U.S. Census as an incorporated community with a population of 978 persons. The community is governed by an elected Mayor/Alderman form of city government and has a local school board. Municipal services are available to the community, including water, garbage and police protection. Further, a staff engineering study has confirmed that both proposals can be accommodated since an alternate channel is available to allot to the community of Grenada.

5. We believe the public interest would be served by the allotments of FM channels to Grenada and Crenshaw, since the allotments would provide an additional FM service to Grenada, and provide Crenshaw with the community's first local FM service. In order to accommodate Evans' counterproposal we shall allot Channel 222A to Grenada. Channel 222A and Channel 295A can be allotted to Grenada and Crenshaw, respectively, in compliance with the Commission's minimum distance separation requirements. Channel 222A can be allotted to Grenada with a site restriction of 4.6 kilometers (2.9 miles) north to avoid a short-spacing conflict with the licensed site of Station WQST(FM), Channel 223C3, Forest, Mississippi.³ For Channel 295A at Crenshaw we will imposed a site restriction of 7.2 kilometers (4.4 miles) southeast to avoid a short-spacing conflict with a construction permit for Station KXFE(FM), Channel 295C3, Dumas, Arkansas.⁴

6. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective **July 28, 1995**, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

City	Channel No.
Grenada, Mississippi	222A, 261C2
Crenshaw, Mississippi	295A

7. The window period for filing applications will open on **July 28, 1995**, and close on **August 28, 1995**.

8. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

9. For further information concerning this proceeding, contact Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

¹ The community of Crenshaw, Mississippi, has been added to the caption.

² Public Notice of the counterproposal was given on October 31, 1994, Report No. 2038.

³ The coordinates for Channel 222A at Grenada are North Latitude 33-49-02 and West Longitude 89-48-00.

⁴ The coordinates for Channel 295A at Crenshaw are North Latitude 34-28-36 and West Longitude 90-07-38.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau